P.R. No. 4633/06
Presented by Shri A.P. Kosta
dated 24/8/06

Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P (S). NO. 4596 /2006

PETITIONER

Shivraj Netam, Aged about 36 years, S/o Mote Singh Netam at present working as a Assistant Teacher, Primary School Abhanpur, Block Development, Narharpur, District Uttar Bastar, Kanker, (CG)

VERSUS

RESPONDENTS

1. State of Chhattisgarh through the Secretary School Education Department, D.K.S. Bhawan Raipur (CG)

2. Director, Public Education Department, Secretariat Raipur, District – Raipur. (CG)

3. District Education Officer, Uttar Bastar, Kanker, District-Uttar Bastar Kanker (CG)

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23/8/06
CLERK to A. G. BILASPUR

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND CERTIORARY AND FOR OTHER SUITABLE WRITS AND DIRECTIONS :-

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(23)

मामला क्रमांक WP 4596/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

30-8-2006

Mr. Vishnu Koshta, counsel for the petitioner.

Mr. Satish Gupta, Deputy Govt. Advocate for the State/respondents, on advance copy.

Heard both the counsel.

By the instant writ petition under Article 226 of the Constitution of India, the petitioner has challenged his transfer order dated 29-7-2006 (Annexure P-2) passed by respondent No.3, whereby he has been transferred from Middle School, Abhanpur to Primary School, Aalkanhar, Block: Koylibeda.

The said transfer has been made under the rationalization scheme. Clause 7 of the rationalization scheme provides for an appeal by the aggrieved person.

Learned counsel for the petitioner submits that the petitioner has already preferred an appeal before respondent No.2 on 4-8-2006 and that appeal is not being decided by respondent No.2, therefore, respondent No.2 be directed to decide the appeal to which learned counsel appearing for the State/respondents has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.2 is directed to decide the appeal of the petitioner within 30 days from the date of receipt of a copy of this order, in accordance with law.

With the direction aforesaid, the petition stands disposed of.

Consequently, M.(W.)P.No.3553/2006 also stands disposed of.

Sd/-
L.C. Bhadoo
Judge

Soma

29.8.06